

1 I suggest that the Committee recommendation
2 which would limit it to rule by the Court of Appeals
3 would strip the Legislature of that joint authority and
4 I would prefer to see it taken out of the Constitution
5 altogether as the Scanlan amendment proposed.

6 I might say one more word in connection with
7 this. The absolute right of removal which exists under
8 the present Constitution has been more abused than any
9 provision in the Constitution. Cases have been ready for
10 trial and at the last moment this absolute right of removal,
11 this affidavit comes in and it has been used as a delaying
12 tactic all over the State by counsel for insurance
13 companies and others, but particularly in that field, I
14 would say.

15 It seems to me that the matter should be left
16 in the joint authority of the Legislature and the Court of
17 Appeals insofar as it may go beyond the protection afforded
18 by the Fourteenth Amendment. I would urge you to support
19 the Scanlan amendment.

20 DELEGATE CLARK: The Chair recognizes Delegate
21 Child to speak against the amendment.